

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: GENERIC PHARMACEUTICALS PRICING ANTITRUST LITIGATION	MDL 2724 16-md-2724
THIS DOCUMENT RELATES TO:	HON. CYNTHIA M. RUFÉ
<i>Humana Inc. v. Actavis Elizabeth, LLC et al.</i>	Civil Action Nos.
<i>The Kroger Co., et al. v. Actavis Holdco U.S., Inc.</i>	18-3299
	18-284
	ORAL ARGUMENT REQUESTED

[PROPOSED] ORDER

AND NOW, this ____ day of ____ 2019, upon consideration of Defendant Lupin Pharmaceuticals, Inc.’s Motion to Dismiss Kroger Plaintiffs’ and Humana, Inc.’s Overarching Conspiracy Claims, the responses and replies thereto, and the arguments of counsel, and for the reasons set forth in the accompanying Opinion, it is hereby **ORDERED** that the Motion is disposed of as set forth herein.

1. Defendant Lupin Pharmaceuticals, Inc.’s Motion to Dismiss Humana, Inc.’s Amended Complaint [No. 18-3299, Dkt. 30] is **GRANTED**. Counts CVI-CX of Humana, Inc.’s Amended Complaint are **DISMISSED WITH PREJUDICE**;
2. Defendant Lupin Pharmaceuticals, Inc.’s Motion to Dismiss the Kroger Plaintiffs’ Complaint [No. 18-284, Dkt. 37] is **GRANTED**. Count One of the Kroger Plaintiffs’ Complaint is **DISMISSED WITH PREJUDICE**;

It is so **ORDERED.**

BY THE COURT:

CYNTHIA M. RUFÉ, J.